

SILAS P. RICE  
CRUMMELL P. JACOBS  
Complainants

vs

COLEMAN J. LIDIE, III  
Respondent

\* \* \* \* \*

\* IN THE  
\* CIRCUIT COURT  
\* FOR FREDERICK COUNTY, MARYLAND  
\* Equity No. 29,770

AFFIDAVIT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

STATE OF MARYLAND, COUNTY OF WASHINGTON, TO WIT:

I HEREBY CERTIFY that on this 26th day of December, 1979, before me, the Subscriber, a notary public of the State of Maryland, in and for the county aforesaid, duly commissioned and qualified, personally appeared CRUMMELL P. JACOBS, a Complainant in the foregoing proceedings, and made oath in due form of law as follows:

FIRST: That he is a Complainant in these proceedings.

SECOND: That he has personal knowledge of all the matters and facts herein set forth, all of which are true and correct to the best of his knowledge, information and belief, and that he is competent to be a witness.

THIRD: That he acquired a parcel of real estate in 1971, recorded in 1976 in Liber 985, at folio 739, one of the Land Records of Frederick County, State of Maryland, which real estate is located to the north and west of the Respondent's property but which does not have any common boundary or point with said property of Respondent. Said property was sold to L. Loretta Staley and Brian L. Dinkle in 1977 and recorded in Liber 1027, at folio 213, but which was mortgaged back to him on the same date and recorded in Liber 1027 at folio 214, one of the Land Records of Frederick County, Maryland. That on September 13, 1979, the said property was reconveyed to him by L. Loretta Staley and Brian L. Dinkle and recorded in Liber 1095, at folio 385, one of the Land Records of Frederick County, State of Maryland.

FOURTH: That a certain road, approximately fifteen (15) feet wide, traverses from a point on Putman Road, one of the county roads, and traverses across the north-east corner of the Respondent's real estate and runs to and